



**EXPRESS MAIL NO: EV 963177264 US
DEPOSITED ON: October 31, 2008**

REISSUE PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/803,812
Applicant: Thomas D. Smith, III
Filed: 03/18/2004
TC/AU: 3641
Examiner: Bret C. Hayes
**Title: RETICLE-EQUIPPED TELESCOPIC GUNSIGHT AND
AIMING SYSTEM**
Docket No.: 4056-003; 7242.001
Customer No.: 30589

**Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

PETITION FOR REVIVAL

This is a petition for revival under 37 CFR 1.137(b) with the fee as required under 37 CFR 1.17(m) for a small entity. The submission includes a copy of the Notice of Abandonment and a Response to the Final Office Action which places the application in condition for allowance. The Applicant submitted a Response which unintentionally omitted a request for a 1-month extension of time and the required fee. The Applicant later responded to a Notice of Non-Compliant Amendment of May 16, 2008 which was mailed by the Examiner in error. The Applicant became aware that the amendment was still non-compliant only after receiving the Notice of Abandonment mailed September 22, 2008. The entire delay in filing a compliant Response, from the date of the noncompliant Response to the filing of this petition, was not

intentional. The Applicant respectfully requests that the Petition for Revival of the above application be granted.

Respectfully submitted,



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